

motions to dismiss are normally decided on briefs. The court considers the complaint and briefs filed by the parties in deciding whether dismissal is appropriate under the law.

Failure of Plaintiff to respond to the Motion to Dismiss may result in the granting of said Motion. There would be no trial or any further proceedings as to the Defendant seeking dismissal.

Accordingly, Plaintiff is directed to file a response to said Motion to Dismiss within twenty days of the date of entry of this Order. Thereafter, the court will consider the Motion and any opposition to same filed by Plaintiff. If no response is submitted by Plaintiff, the court will consider said Motion to be uncontested. The Clerk is directed to serve Plaintiff at the last address provided by him.

SO ORDERED, this the 30th day of January, 2009.

s/ Hugh Lawson
HUGH LAWSON, Judge

dhc